IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 23535 of 2004

Between:

Shimhadri Jalamma, W/o. Venkaiah,

Aged about 32 years, Occ: Casual Labour,
R/o. Bapatla, Guntur District.

..... PETITIONER

AND

1 The Principal, Acharya N.G. Ranga Agricultural- University,

Bapatla, Bapatla Mandal, Guntur District.
2 The Registrar, Acharya N.G. Ranga Agrl.,

University, Rajendernagar, R.R.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in not considering the case of the petitioner for regularization in the post of Class-IV Employee though the said posts are fallen vacant under B.C. B. Category as illegal, arbitrary, against to the principles of natural justice and to pass such other order or orders as this Honourable Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.R.SATYANARAYANA

Counsel for the Respondents: MR.B.SIVA REDDY

The Court made the following:

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ORDER:

In not considering the case of the petitioner for regularization in the post of Class-IV employee though some posts are fallen vacant under BC-B category, the present writ petition is filed.

The petitioner was appointed as a casual labour in the respondent University in the year 1988. Since then she has been discharging her duties.

The learned counsel for the petitioner contended that though the petitioner is senior and there is a vacancy in the category of BC-B the case of the petitioner has not been considered. Hence, she prays to direct the respondents to consider her case.

On the other hand, the learned standing counsel appearing for the respondents contended that the petitioner has not given any representation for absorption in the post of Class-IV category.

The facts are not in dispute. Whether the petitioner is entitled to be absorbed in the post of Class-IV or whether any vacancy has arisen in the BC 'B" category have to be decided by the respondents. So also the respondents have to decide the regularization of the casual employees basing on the seniority.

Therefore, a direction is given to the petitioner to file an application to the respondents and the same shall have to be considered by the respondents as per rules in accordance with seniority within a period of two months from the date of receipt of the application of the petitioner.

With the above directions, the Writ Petition is disposed of. No order as to costs.

dsr

ASSISTANT REGISTRAR

To:

1. The Principal,

Acharya N.G.Ranga Agricultural University,

Bapatla, Bapatla Mandal, Guntur District

2. The Registrar,

Acharya N.G.Ranga Agricultural University,

Rajendernagar, R.R.District

3. Two CD copies.